

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: February 7, 1996

SUBJECT: **HB 2671 - SB 2951**

This bill, if enacted, will provide for offenders convicted of vehicular homicide by intoxication to be sentenced in a higher range of penalty as follows:

- offenders with three prior convictions of DUI, vehicular homicide, or vehicular assault in any combination prior to the current offense will be sentenced as a Class B career offender (30 years at 60% with 18 years to serve)
- offenders with two prior convictions of DUI, vehicular homicide, or vehicular assault in any combination prior to the current offense will be sentenced as a Class B persistent offender (20 years at 45% with nine years to serve)
- offenders with one prior conviction of DUI, vehicular homicide or vehicular assault in any combination prior to the current offense will be sentenced as a Class B multiple offender (12 years at 35% with 4.2 years to serve)
- offenders with any of the prior offenses and who have a .20% or more weight of alcohol in the blood will be sentenced one range higher than would otherwise be imposed.

The fiscal impact from enactment of this bill is estimated to be an increase in state expenditures of \$568,000 for incarceration*. The details of the inmate population growth and costs are shown below:

Year 1	4 Inmates	\$ 68,500
Year 2	11 Inmates	\$182,700
Year 3	16 Inmates	\$257,800

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Year 4	20 Inmates	\$323,100
Year 5	24 Inmates	\$388,300
Year 6	28 Inmates	\$453,600
Year 7	32 Inmates	\$518,800
Year 8	33 Inmates	\$535,200
Year 9	34 Inmates	\$551,500
Year 10	35 Inmates	\$568,000

Funding for enactment of this bill is included in the Governor's
1996-97 Recommended Budget.

This is to duly certify that the information contained herein is true
and correct to the best of my knowledge.



James A. Davenport, Executive Director

**Section 9-6-119, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*